

103^D CONGRESS
2^D SESSION

H. R. 4556

AN ACT

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1995, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 Department of Transportation and related agencies for
6 the fiscal year ending September 30, 1995, and for other
7 purposes, namely:

1 TITLE I
2 DEPARTMENT OF TRANSPORTATION
3 OFFICE OF THE SECRETARY
4 SALARIES AND EXPENSES

5 For necessary expenses of the Office of the Secretary,
6 \$58,094,000, of which \$3,962,000 shall remain available
7 until expended; and of which not to exceed \$25,000 shall
8 be available as the Secretary may determine for allocation
9 within the Department for official reception and represen-
10 tation expenses: *Provided*, That notwithstanding any other
11 provision of law, funds available for the purposes of the
12 Minority Business Resource Center in this Act may be
13 used for business opportunities related to any mode of
14 transportation.

15 TRANSPORTATION PLANNING, RESEARCH, AND
16 DEVELOPMENT

17 For necessary expenses for conducting transportation
18 planning, research, and development activities, including
19 the collection of national transportation statistics, to re-
20 main available until expended, \$2,693,000.

21 OFFICE OF COMMERCIAL SPACE TRANSPORTATION
22 OPERATIONS AND RESEARCH

23 For necessary expenses for operations and research
24 activities related to commercial space transportation,

1 \$6,060,000, of which \$2,000,000 shall remain available
2 until expended.

3 WORKING CAPITAL FUND

4 Necessary expenses for operating costs and capital
5 outlays of the Department of Transportation Working
6 Capital Fund not to exceed \$88,750,000 shall be paid, in
7 accordance with law, from appropriations made available
8 by this Act and prior appropriations Acts to the Depart-
9 ment of Transportation, together with advances and reim-
10 bursements received by the Department of Transpor-
11 tation.

12 PAYMENTS TO AIR CARRIERS

13 (LIQUIDATION OF CONTRACT AUTHORIZATION)

14 (AIRPORT AND AIRWAY TRUST FUND)

15 (INCLUDING RESCISSION OF CONTRACT AUTHORIZATION)

16 For liquidation of obligations incurred for payments
17 to air carriers of so much of the compensation fixed and
18 determined under section 419 of the Federal Aviation Act
19 of 1958, as amended (49 U.S.C. 1389), as is payable by
20 the Department of Transportation, \$25,600,000, to re-
21 main available until expended and to be derived from the
22 Airport and Airway Trust Fund: *Provided*, That none of
23 the funds in this Act shall be available for the implementa-
24 tion or execution of programs in excess of \$25,600,000
25 for the Payments to Air Carriers program in fiscal year
26 1995: *Provided further*, That none of the funds in this Act

1 shall be used by the Secretary of Transportation to make
2 payment of compensation under section 419 of the Federal
3 Aviation Act of 1958, as amended, in excess of the appro-
4 priation in this Act for liquidation of obligations incurred
5 under the “Payments to air carriers” program: *Provided*
6 *further*, That none of the funds in this Act shall be used
7 for the payment of claims for such compensation except
8 in accordance with this provision: *Provided further*, That
9 none of the funds in this Act shall be available for service
10 to communities in the forty-eight contiguous States and
11 Hawaii that are located fewer than seventy highway miles
12 from the nearest hub airport, or that require a rate of
13 subsidy per passenger in excess of \$200: *Provided further*,
14 That of funds provided for “Small Community Air Serv-
15 ice” by Public Law 101–508, \$13,000,000 in fiscal year
16 1995 is hereby rescinded.

17 RENTAL PAYMENTS

18 For necessary expenses for rental of headquarters and
19 field space and related services assessed by the General
20 Services Administration, \$144,419,000: *Provided*, That of
21 this amount, \$1,872,000 shall be derived from the High-
22 way Trust Fund, \$38,728,000 shall be derived from the
23 Airport and Airway Trust Fund, \$678,000 shall be de-
24 rived from the Pipeline Safety Fund, and \$172,000 shall
25 be derived from the Harbor Maintenance Trust Fund:

1 *Provided further*, That in addition, for assessments by the
2 General Services Administration related to the space needs
3 of the Federal Highway Administration, \$17,688,000, to
4 be derived from “Federal-aid Highways”, subject to the
5 “Limitation on General Operating Expenses”.

6 MINORITY BUSINESS RESOURCE CENTER PROGRAM

7 For the cost of direct loans, \$1,500,000, as author-
8 ized by 49 U.S.C. 332: *Provided*, That such costs, includ-
9 ing the cost of modifying such loans, shall be as defined
10 in section 502 of the Congressional Budget Act of 1974:
11 *Provided further*, That these funds are available to sub-
12 sidize gross obligations for the principal amount of direct
13 loans not to exceed \$15,000,000. In addition, for adminis-
14 trative expenses to carry out the direct loan program,
15 \$400,000.

16 COAST GUARD

17 OPERATING EXPENSES

18 For necessary expenses for the operation and mainte-
19 nance of the Coast Guard, not otherwise provided for; pur-
20 chase of not to exceed fifteen passenger motor vehicles for
21 replacement only; payments pursuant to section 156 of
22 Public Law 97–377, as amended (42 U.S.C. 402 note),
23 and section 229(b) of the Social Security Act (42 U.S.C.
24 429(b)); and recreation and welfare; \$2,580,000,000, of
25 which \$25,000,000 shall be derived from the Oil Spill Li-

1 ability Trust Fund; and of which \$25,000,000 shall be ex-
2 pended from the Boat Safety Account: *Provided*, That the
3 number of aircraft on hand at any one time shall not ex-
4 ceed two hundred and eighteen, exclusive of aircraft and
5 parts stored to meet future attrition: *Provided further*,
6 That none of the funds appropriated in this or any other
7 Act shall be available for pay or administrative expenses
8 in connection with shipping commissioners in the United
9 States: *Provided further*, That none of the funds provided
10 in this Act shall be available for expenses incurred for
11 yacht documentation under 46 U.S.C. 12109, except to
12 the extent fees are collected from yacht owners and cred-
13 ited to this appropriation: *Provided further*, That the Com-
14 mandant shall reduce both military and civilian employ-
15 ment levels for the purpose of complying with Executive
16 Order No. 12839: *Provided further*, That none of the
17 funds in this Act shall be available for special and incen-
18 tive pay under section 301 of title 37, United States Code,
19 to any Coast Guard member assigned to a skill, rating,
20 or specialty to which special separation benefits under sec-
21 tion 1174 of title 10, United States Code, or voluntary
22 separation benefits under section 1175 of such title will
23 be paid.

1 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

2 For necessary expenses of acquisition, construction,
3 rebuilding, and improvement of aids to navigation, shore
4 facilities, vessels, and aircraft, including equipment related
5 thereto, \$385,200,000, of which \$32,500,000 shall be de-
6 rived from the Oil Spill Liability Trust Fund; of which
7 \$201,750,000 shall be available to acquire, repair, ren-
8 ovate or improve vessels, small boats and related equip-
9 ment, to remain available until September 30, 1999;
10 \$14,900,000 shall be available to acquire new aircraft and
11 increase aviation capability, to remain available until Sep-
12 tember 30, 1997; \$31,500,000 shall be available for other
13 equipment, to remain available until September 30, 1997;
14 \$93,050,000 shall be available for shore facilities and aids
15 to navigation facilities, to remain available until Septem-
16 ber 30, 1997; and \$44,000,000 shall be available for per-
17 sonnel compensation and benefits and related costs, to re-
18 main available until September 30, 1995: *Provided*, That
19 funds received from the sale of the VC-11A aircraft shall
20 be credited to this appropriation for the purpose of acquir-
21 ing new aircraft and increasing aviation capacity.

22 ENVIRONMENTAL COMPLIANCE AND RESTORATION

23 For necessary expenses to carry out the Coast
24 Guard's environmental compliance and restoration func-

1 tions under chapter 19 of title 14, United States Code,
2 \$22,000,000, to remain available until expended.

3 RETIRED PAY

4 For retired pay, including the payment of obligations
5 therefor otherwise chargeable to lapsed appropriations for
6 this purpose, and payments under the Retired Service-
7 man's Family Protection and Survivor Benefits Plans, and
8 for payments for medical care of retired personnel and
9 their dependents under the Dependents Medical Care Act
10 (10 U.S.C. ch. 55), \$562,585,000.

11 RESERVE TRAINING

12 For all necessary expenses for the Coast Guard Re-
13 serve, as authorized by law; maintenance and operation
14 of facilities; and supplies, equipment, and services;
15 \$66,000,000.

16 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

17 For necessary expenses, not otherwise provided for,
18 for applied scientific research, development, test, and eval-
19 uation; maintenance, rehabilitation, lease and operation of
20 facilities and equipment, as authorized by law,
21 \$20,310,000, to remain available until expended, of which
22 \$3,150,000 shall be derived from the Oil Spill Liability
23 Trust Fund: *Provided*, That there may be credited to this
24 appropriation funds received from State and local govern-
25 ments, other public authorities, private sources, and for-

1 eign countries, for expenses incurred for research, develop-
2 ment, testing, and evaluation.

3 BOAT SAFETY

4 (AQUATIC RESOURCES TRUST FUND)

5 For payment of necessary expenses incurred for rec-
6 reational boating safety assistance under Public Law 92-
7 75, as amended, \$25,000,000, to be derived from the Boat
8 Safety Account and to remain available until expended.

9 FEDERAL AVIATION ADMINISTRATION

10 OPERATIONS

11 For necessary expenses of the Federal Aviation Ad-
12 ministration, not otherwise provided for, including admin-
13 istrative expenses for research and development, the pay-
14 ment of obligations for the Aircraft Purchase Loan Guar-
15 antee Program required pursuant to guarantees issued
16 under Public Law 85-307, as amended (49 U.S.C. 1324
17 note), establishment of air navigation facilities and the op-
18 eration (including leasing) and maintenance of aircraft,
19 and carrying out the provisions of the Airport and Airway
20 Improvement Act of 1982, as amended, or other provisions
21 of law authorizing the obligation of funds for similar pro-
22 grams of airport and airway development or improvement,
23 lease or purchase of four passenger motor vehicles for re-
24 placement only, \$4,585,000,000, of which \$2,450,250,000
25 shall be derived from the Airport and Airway Trust Fund:

1 *Provided*, That there may be credited to this appropriation
2 funds received from States, counties, municipalities, for-
3 eign authorities, other public authorities, and private
4 sources, for expenses incurred in the provision of aviation
5 services, including the maintenance and operation of air
6 navigation facilities and for issuance, renewal or modifica-
7 tion of certificates, including airman, aircraft, and repair
8 station certificates, or for tests related thereto, or for proc-
9 essing major repair or alteration forms: *Provided further*,
10 That, of the funds available under this head, \$23,000,000
11 is available only for permanent change of station moves
12 for members of the air traffic workforce: *Provided further*,
13 That funds may be used to enter into a grant agreement
14 with a nonprofit standard setting organization to assist
15 in the development of aviation safety standards: *Provided*
16 *further*, That none of the funds in this Act shall be avail-
17 able for new applicants for the second career training pro-
18 gram: *Provided further*, That none of the funds in this Act
19 shall be available for paying premium pay under 5 U.S.C.
20 5546(a) to any Federal Aviation Administration employee
21 unless such employee actually performed work during the
22 time corresponding to such premium pay: *Provided fur-*
23 *ther*, That none of the funds in this Act shall be available
24 for activities under the Aircraft Purchase Loan Guarantee

1 Program the obligations for which are in excess of
2 \$9,970,000 during fiscal year 1995.

3 FACILITIES AND EQUIPMENT

4 (AIRPORT AND AIRWAY TRUST FUND)

5 For necessary expenses, not otherwise provided for,
6 for acquisition, establishment, and improvement by con-
7 tract or purchase, and hire of air navigation and experi-
8 mental facilities and equipment as authorized by the Fed-
9 eral Aviation Act of 1958, as amended (49 U.S.C. App.
10 1301 et seq.), including initial acquisition of necessary
11 sites by lease or grant; engineering and service testing in-
12 cluding construction of test facilities and acquisition of
13 necessary sites by lease or grant; and construction and
14 furnishing of quarters and related accommodations for of-
15 ficers and employees of the Federal Aviation Administra-
16 tion stationed at remote localities where such accommoda-
17 tions are not available; and the purchase, lease, or transfer
18 of aircraft from funds available under this head; to be de-
19 rived from the Airport and Airway Trust Fund,
20 \$2,176,700,000, of which \$1,968,200,000 shall remain
21 available until September 30, 1997, and of which
22 \$208,500,000 shall remain available until September 30,
23 1995: *Provided*, That there may be credited to this appro-
24 priation funds received from States, counties, municipali-
25 ties, other public authorities, and private sources, for ex-

1 penses incurred in the establishment and modernization
2 of air navigation facilities: *Provided further*, That none of
3 the funds under this head for the Advanced Automation
4 System may be obligated until the Federal Aviation Ad-
5 ministration submits to the House and Senate Committees
6 on Appropriations and the House Committee on Public
7 Works and Transportation and the Senate Committee on
8 Commerce, Science, and Transportation a comprehensive
9 program plan and up to date estimate of the fiscal year
10 1995 budget requirement for this program.

11 (RESCISSION)

12 (AIRPORT AND AIRWAY TRUST FUND)

13 Of the total unobligated balance from appropriations
14 under this head for fiscal year 1994 and prior years,
15 \$51,700,000 are rescinded.

16 RESEARCH, ENGINEERING, AND DEVELOPMENT

17 (AIRPORT AND AIRWAY TRUST FUND)

18 For necessary expenses, not otherwise provided for,
19 for research, engineering, and development, in accordance
20 with the provisions of the Federal Aviation Act of 1958,
21 as amended (49 U.S.C. App. 1301 et seq.), including con-
22 struction of experimental facilities and acquisition of nec-
23 essary sites by lease or grant, \$254,000,000, to be derived
24 from the Airport and Airway Trust Fund and to remain
25 available until expended: *Provided*, That there may be
26 credited to this appropriation funds received from States,

1 counties, municipalities, other public authorities, and pri-
2 vate sources, for expenses incurred for research, engineer-
3 ing, and development.

4 GRANTS-IN-AID FOR AIRPORTS

5 (LIQUIDATION OF CONTRACT AUTHORIZATION)

6 (AIRPORT AND AIRWAY TRUST FUND)

7 For liquidation of obligations incurred for grants-in-
8 aid for airport planning and development, and for noise
9 compatibility planning and programs under the Airport
10 and Airway Improvement Act of 1982, as amended, and
11 under other law authorizing such obligations,
12 \$1,500,000,000, to be derived from the Airport and Air-
13 way Trust Fund and to remain available until expended:
14 *Provided*, That none of the funds in this Act shall be avail-
15 able for the planning or execution of programs the com-
16 mitments for which are in excess of \$1,500,000,000 in fis-
17 cal year 1995 for grants-in-aid for airport planning and
18 development, and noise compatibility planning and pro-
19 grams, notwithstanding section 506(e)(4) of the Airport
20 and Airway Improvement Act of 1982, as amended.

21 AVIATION INSURANCE REVOLVING FUND

22 The Secretary of Transportation is hereby authorized
23 to make such expenditures and investments, within the
24 limits of funds available pursuant to section 1306 of the
25 Federal Aviation Act of 1958, as amended (49 U.S.C.

1 App. 1536), and in accordance with section 104 of the
2 Government Corporation Control Act, as amended (31
3 U.S.C. 9104), as may be necessary in carrying out the
4 program for aviation insurance activities under title XIII
5 of the Federal Aviation Act of 1958.

6 FEDERAL HIGHWAY ADMINISTRATION

7 LIMITATION ON GENERAL OPERATING EXPENSES

8 Necessary expenses for administration, operation, in-
9 cluding motor carrier safety program operations, and re-
10 search of the Federal Highway Administration not to ex-
11 ceed \$524,021,000 shall be paid in accordance with law
12 from appropriations made available by this Act to the Fed-
13 eral Highway Administration together with advances and
14 reimbursements received by the Federal Highway Admin-
15 istration: *Provided*, That not to exceed \$216,805,000 of
16 the amount provided herein shall remain available until
17 September 30, 1997.

18 HIGHWAY-RELATED SAFETY GRANTS

19 (LIQUIDATION OF CONTRACT AUTHORIZATION)

20 (HIGHWAY TRUST FUND)

21 (INCLUDING TRANSFER OF FUNDS)

22 For payment of obligations incurred in carrying out
23 the provisions of title 23, United States Code, section 402
24 administered by the Federal Highway Administration, to
25 remain available until expended, \$10,000,000, to be de-

1 rived from the Highway Trust Fund: *Provided*, That not
 2 to exceed \$100,000 of the amount appropriated herein
 3 shall be available for “Limitation on general operating ex-
 4 penses”: *Provided further*, That none of the funds in this
 5 Act shall be available for the planning or execution of pro-
 6 grams the obligations for which are in excess of
 7 \$10,000,000 in fiscal year 1995 for “Highway-Related
 8 Safety Grants”.

9 FEDERAL-AID HIGHWAYS

10 (LIMITATION ON OBLIGATIONS)

11 (HIGHWAY TRUST FUND)

12 None of the funds in this Act shall be available for
 13 the implementation or execution of programs the obliga-
 14 tions for which are in excess of \$17,160,000,000 for Fed-
 15 eral-aid highways and highway safety construction pro-
 16 grams for fiscal year 1995.

17 FEDERAL-AID HIGHWAYS

18 (LIQUIDATION OF CONTRACT AUTHORIZATION)

19 (HIGHWAY TRUST FUND)

20 For carrying out the provisions of title 23, United
 21 States Code, that are attributable to Federal-aid high-
 22 ways, including the National Scenic and Recreational
 23 Highway as authorized by 23 U.S.C. 148, not otherwise
 24 provided, including reimbursements for sums expended
 25 pursuant to the provisions of 23 U.S.C. 308,
 26 \$17,000,000,000 or so much thereof as may be available

1 in and derived from the Highway Trust Fund, to remain
2 available until expended.

3 RIGHT-OF-WAY REVOLVING FUND

4 (LIMITATION ON DIRECT LOANS)

5 (HIGHWAY TRUST FUND)

6 During fiscal year 1995 and with the resources and
7 authority available, gross obligations for the principal
8 amount of direct loans shall not exceed \$42,500,000.

9 MOTOR CARRIER SAFETY GRANTS

10 (LIQUIDATION OF CONTRACT AUTHORIZATION)

11 (HIGHWAY TRUST FUND)

12 For payment of obligations incurred in carrying out
13 the provisions of section 402 of Public Law 97-424,
14 \$73,000,000, to be derived from the Highway Trust Fund
15 and to remain available until expended: *Provided*, That
16 none of the funds in this Act shall be available for the
17 implementation or execution of programs the obligations
18 for which are in excess of \$74,000,000 for “Motor Carrier
19 Safety Grants”.

20 SURFACE TRANSPORTATION PROJECTS

21 For up to 80 percent of the expenses necessary for
22 certain highway and surface transportation projects and
23 parking facilities, including feasibility and environmental
24 studies, that advance methods of improving safety, reduc-

1 ing congestion, or otherwise improving surface transpor-
2 tation, \$299,862,000, to remain available until expended.

3 NATIONAL HIGHWAY TRAFFIC SAFETY

4 ADMINISTRATION

5 OPERATIONS AND RESEARCH

6 For expenses necessary to discharge the functions of
7 the Secretary with respect to traffic and highway safety
8 under the Motor Vehicle Information and Cost Savings
9 Act (Public Law 92-513, as amended) and the National
10 Traffic and Motor Vehicle Safety Act, (Public Law 89-
11 563, as amended) \$74,352,000, of which \$38,327,000
12 shall remain available until September 30, 1997.

13 (RESCISSIONS)

14 Of the amounts provided under this heading in Public
15 Law 102-388, \$103,929 are rescinded.

16 Of the amounts provided under this heading in Public
17 Law 101-516 and Public Law 101-164, \$3,268,700 are
18 rescinded.

19 OPERATIONS AND RESEARCH

20 (HIGHWAY TRUST FUND)

21 For expenses necessary to discharge the functions of
22 the Secretary with respect to traffic and highway safety
23 under 23 U.S.C. 403 and section 2006 of the Intermodal
24 Surface Transportation Efficiency Act of 1991, to be de-
25 rived from the Highway Trust Fund, \$46,997,000, of

1 which \$29,891,000 shall remain available until September
2 30, 1997.

3 HIGHWAY TRAFFIC SAFETY GRANTS

4 (LIQUIDATION OF CONTRACT AUTHORIZATION)

5 (HIGHWAY TRUST FUND)

6 For payment of obligations incurred carrying out the
7 provisions of 23 U.S.C. 153, 402, 408, and 410, section
8 211(b) of the National Driver Register Act of 1982, as
9 amended, and section 209 of Public Law 95–599, as
10 amended, to remain available until expended,
11 \$151,000,000, to be derived from the Highway Trust
12 Fund: *Provided*, That, notwithstanding subsection
13 2009(b) of the Intermodal Surface Transportation Effi-
14 ciency Act of 1991, none of the funds in this Act shall
15 be available for the planning or execution of programs the
16 total obligations for which, in fiscal year 1995, are in ex-
17 cess of \$151,400,000 for programs authorized under 23
18 U.S.C. 402 and 410, as amended, of which \$123,000,000
19 shall be for “State and community highway safety
20 grants”, \$3,400,000 shall be for the “National Driver
21 Register”, and \$25,000,000 shall be for section 410 “Al-
22 cohol-impaired driving countermeasures programs”: *Pro-*
23 *vided further*, That none of these funds shall be used for
24 construction, rehabilitation or remodeling costs, or for of-
25 fice furnishings and fixtures for State, local, or private

1 buildings or structures: *Provided further*, That not to ex-
2 ceed \$5,153,000 of the funds made available for section
3 402 may be available for administering “State and com-
4 munity highway safety grants”: *Provided further*, That not
5 to exceed \$500,000 of the funds made available for section
6 410 may be available for technical assistance to the
7 States.

8 FEDERAL RAILROAD ADMINISTRATION

9 OFFICE OF THE ADMINISTRATOR

10 For necessary expenses of the Federal Railroad Ad-
11 ministration, not otherwise provided for, \$13,650,000, of
12 which \$1,300,000 shall remain available until expended:
13 *Provided*, That none of the funds in this Act shall be avail-
14 able for the planning or execution of a program making
15 commitments to guarantee new loans under the Emer-
16 gency Rail Services Act of 1970, as amended, and that
17 no new commitments to guarantee loans under section
18 211(a) or 211(h) of the Regional Rail Reorganization Act
19 of 1973, as amended, shall be made: *Provided further*,
20 That, as part of the Washington Union Station trans-
21 action in which the Secretary assumed the first deed of
22 trust on the property and, where the Union Station Rede-
23 velopment Corporation or any successor is obligated to
24 make payments on such deed of trust on the Secretary’s
25 behalf, including payments on and after September 30,

1 1988, the Secretary is authorized to receive such payments
2 directly from the Union Station Redevelopment Corpora-
3 tion, credit them to the appropriation charged for the first
4 deed of trust, and make payments on the first deed of
5 trust with those funds: *Provided further*, That such addi-
6 tional sums as may be necessary for payment on the first
7 deed of trust may be advanced by the Administrator from
8 unobligated balances available to the Federal Railroad Ad-
9 ministration, to be reimbursed from payments received
10 from the Union Station Redevelopment Corporation.

11 LOCAL RAIL FREIGHT ASSISTANCE

12 For necessary expenses for rail assistance under
13 section 5(q) of the Department of Transportation Act, as
14 amended, \$17,000,000, to remain available until ex-
15 pended.

16 RAILROAD SAFETY

17 For necessary expenses in connection with railroad
18 safety, not otherwise provided for, \$47,067,000, of which
19 \$2,500,000 shall remain available until expended.

20 RAILROAD RESEARCH AND DEVELOPMENT

21 For necessary expenses for railroad research and de-
22 velopment, \$17,145,000, to remain available until ex-
23 pended.

8 RAILROAD REHABILITATION AND IMPROVEMENT
9 PROGRAM

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1 “asset sales” or “loan prepayments” as defined by section
2 257(12) of the Balanced Budget and Emergency Deficit
3 Control Act of 1985, as amended: *Provided further*, That
4 any underwriting fees and related expenses shall be de-
5 rived solely from the proceeds of the sales.

6 NATIONAL MAGNETIC LEVITATION PROTOTYPE

7 DEVELOPMENT

8 (LIMITATION ON OBLIGATIONS)

9 (HIGHWAY TRUST FUND)

10 None of the funds in this Act shall be available for
11 the planning or execution of the National Magnetic Levita-
12 tion Prototype Development program as defined in sub-
13 sections 1036(b) and 1036(d)(1)(A) of the Intermodal
14 Surface Transportation Efficiency Act of 1991.

15 NEXT GENERATION HIGH SPEED RAIL

16 For necessary expenses for Next Generation High
17 Speed Rail studies, corridor planning, development, dem-
18 onstration, and implementation, \$20,000,000, to remain
19 available until expended: *Provided*, That funds under this
20 head may be made available for grants to states for high
21 speed rail corridor design, feasibility studies, and environ-
22 mental analyses.

1 TRUST FUND SHARE OF NEXT GENERATION HIGH
2 SPEED RAIL

3 (LIQUIDATION OF CONTRACT AUTHORIZATION)
4 (HIGHWAY TRUST FUND)

5 For grants and payment of obligations incurred in
6 carrying out the provisions of the High-Speed Ground
7 Transportation program as defined in subsections 1036(c)
8 and 1036(d)(1)(B) of the Intermodal Surface Transpor-
9 tation Efficiency Act of 1991, including planning and en-
10 vironmental analyses, \$3,400,000, to be derived from the
11 Highway Trust Fund and to remain available until ex-
12 pended: *Provided*, That none of the funds in this Act shall
13 be available for the implementation or execution of pro-
14 grams the obligations for which are in excess of
15 \$5,000,000.

16 GRANTS TO THE NATIONAL RAILROAD PASSENGER
17 CORPORATION

18 To enable the Secretary of Transportation to make
19 grants to the National Railroad Passenger Corporation
20 authorized by 45 U.S.C. 601, to remain available until ex-
21 pended, \$771,700,000, of which \$526,700,000 shall be
22 available for operating losses incurred by the Corporation,
23 for mandatory passenger rail service payments, and for
24 labor protection costs, and of which \$245,000,000, not to
25 become available until July 1, 1995, shall be available for
26 capital improvements: *Provided*, That none of the funds

1 herein appropriated shall be used for lease or purchase
2 of passenger motor vehicles or for the hire of vehicle oper-
3 ators for any officer or employee, other than the president
4 of the Corporation, excluding the lease of passenger motor
5 vehicles for those officers or employees while in official
6 travel status: *Provided further*, That of the funds provided
7 under this head for operating losses, \$8,000,000 is avail-
8 able only for the National Railroad Passenger Corpora-
9 tion's share of short-term avoidable costs for state-sup-
10 ported rail services authorized under section 403(b) of the
11 Rail Passenger Service Act, as amended.

12 FEDERAL TRANSIT ADMINISTRATION

13 ADMINISTRATIVE EXPENSES

14 For necessary administrative expenses of the Federal
15 Transit Administration's programs authorized by the Fed-
16 eral Transit Act and 23 U.S.C. chapter 1 in connection
17 with these activities, including hire of passenger motor ve-
18 hicles and services as authorized by 5 U.S.C. 3109,
19 \$43,060,000.

20 FORMULA GRANTS

21 For necessary expenses to carry out the provisions
22 of sections 9, 16(b)(2), and 18 of the Federal Transit Act,
23 to remain available until expended, \$1,356,050,000: *Pro-*
24 *vided*, That no more than \$2,506,050,000 of budget au-
25 thority shall be available for these purposes: *Provided fur-*

1 *ther*, That of the funds provided under this head for for-
2 mula grants no more than \$700,000,000 may be used for
3 operating assistance under section 9(k)(2) of the Federal
4 Transit Act: *Provided further*, That of the funds provided
5 under this head, \$16,000,000 shall be available for grants
6 for the costs of planning, delivery and temporary use of
7 transit vehicles for special transportation needs of the
8 XXVth Summer Olympiad and the Xth Paralympiad for
9 the Disabled, to be held in Atlanta, Georgia, of which
10 \$5,600,000 shall be available for the Paralympic Games:
11 *Provided further*, That in allocating the funds designated
12 in the preceding proviso, the Secretary may make grants
13 to any public body the Secretary deems appropriate, and
14 such grants shall not be subject to any local share require-
15 ment or limitation on operating assistance under this Act
16 or the Federal Transit Act: *Provided further*, That none
17 of the funds made available for the XXVth Olympiad or
18 the Xth Paralympiad for the Disabled shall be expended
19 before October 1, 1995.

20 UNIVERSITY TRANSPORTATION CENTERS

21 For necessary expenses for university transportation
22 centers as authorized by section 11(b) of the Federal
23 Transit Act, to remain available until expended,
24 \$6,000,000.

1 TRANSIT PLANNING AND RESEARCH

2 For necessary expenses for transit planning and re-
3 search as authorized by section 26 of the Federal Transit
4 Act, to remain available until expended, \$92,250,000.

5 TRUST FUND SHARE OF TRANSIT PROGRAMS

6 (LIQUIDATION OF CONTRACT AUTHORIZATION)

7 (HIGHWAY TRUST FUND)

8 For payment of obligations incurred in carrying out
9 section 21(a) of the Federal Transit Act, \$1,150,000,000,
10 to remain available until expended and to be derived from
11 the Highway Trust Fund: *Provided*, That \$1,150,000,000
12 shall be paid from the Mass Transit Account of the High-
13 way Trust Fund to the Federal Transit Administration's
14 formula grants account.

15 DISCRETIONARY GRANTS

16 (LIMITATION ON OBLIGATIONS)

17 (HIGHWAY TRUST FUND)

18 None of the funds in this Act shall be available for
19 the implementation or execution of programs the obliga-
20 tions for which are in excess of \$1,725,000,000 in fiscal
21 year 1995 for grants under the contract authority in sec-
22 tion 21(b) of the Federal Transit Act: *Provided*, That not-
23 withstanding any provision of law, there shall be available
24 for fixed guideway modernization, \$725,000,000; there
25 shall be available for the replacement, rehabilitation, and
26 purchase of buses and related equipment and the con-

1 struction of bus-related facilities, \$353,330,000; and there
2 shall be available for new fixed guideway systems,
3 \$646,670,000, to be available as follows:

4 \$48,000,000 for the South Boston Piers
5 transitway project;

6 \$50,000,000 for the Chicago central area
7 circulator project;

8 \$33,770,000 for the Dallas South Oak Cliff
9 LRT project;

10 \$5,000,000 for the DART North Central light
11 rail extension project;

12 \$6,000,000 for the Dallas-Fort Worth
13 RAILTRAN project;

14 \$20,000,000 for the Florida Tri-County com-
15 muter rail project;

16 \$60,000,000 for the Houston Regional Bus
17 Plan program;

18 \$165,000,000 for the Los Angeles Metro Rail
19 (MOS-3) project;

20 \$2,000,000 for the Miami Metrorail north cor-
21 ridor extension project;

22 \$500,000 for the New Jersey Urban Core
23 project;

24 \$10,000,000 for the New Orleans Canal Street
25 Corridor project;

1 \$45,000,000 for the New York Queens Connec-
2 tion project;

3 \$2,400,000 for the Cincinnati Northeast/North-
4 ern Kentucky rail line project;

5 \$10,000,000 for the Orange County Transitway
6 project;

7 \$10,000,000 for the Pittsburgh Busway
8 projects;

9 \$73,500,000 for the Portland Westside LRT
10 project;

11 \$10,000,000 for the Salt Lake City light rail
12 project: *Provided*, That such funding may be made
13 available for related high-occupancy vehicle lane and
14 intermodal corridor design costs: *Provided further*,
15 That notwithstanding the provisions of Public Law
16 103-122, funds provided for the Salt Lake City
17 light rail project in that Act may be used for final
18 design;

19 \$40,300,000 for the San Francisco BART Ex-
20 tension/Tasman corridor project;

21 \$10,000,000 for the San Juan, Puerto Rico
22 Tren Urbano project;

23 \$4,700,000 for the Seattle-Renton-Tacoma
24 commuter rail project;

1 \$19,500,000 for the St. Louis Metro Link LRT
2 project;

3 \$1,000,000 for the Tampa to Lakeland com-
4 muter rail project;

5 \$10,000,000 for the Twin Cities central cor-
6 ridor project;

7 \$5,000,000 for the Wisconsin central commuter
8 project; and

9 \$5,000,000 for the Whitehall ferry terminal,
10 New York, New York.

11 MASS TRANSIT CAPITAL FUND

12 (LIQUIDATION OF CONTRACT AUTHORIZATION)

13 (HIGHWAY TRUST FUND)

14 For payment of obligations incurred in carrying out
15 section 21 (b) of the Federal Transit Act, administered
16 by the Federal Transit Administration, \$1,500,000,000,
17 to be derived from the Highway Trust Fund and to remain
18 available until expended.

19 INTERSTATE TRANSFER GRANTS—TRANSIT

20 For necessary expenses to carry out the provisions
21 of 23 U.S.C. 103(e)(4) related to transit projects,
22 \$48,030,000, to remain available until expended: *Pro-*
23 *vided*, That notwithstanding the formula for apportion-
24 ment under 23 U.S.C. 103(e)(4)(J), of the amount made
25 available under this head, only \$9,500,000 shall be avail-

1 able for the substitute transit project approved under sec-
2 tion 1045 of Public Law 102-240.

3 WASHINGTON METROPOLITAN AREA TRANSIT
4 AUTHORITY

5 For necessary expenses to carry out the provisions
6 of section 14 of Public Law 96-184 and Public Law 101-
7 551, \$200,000,000, to remain available until expended.

8 SAINT LAWRENCE SEAWAY DEVELOPMENT
9 CORPORATION

10 The Saint Lawrence Seaway Development Corpora-
11 tion is hereby authorized to make such expenditures, with-
12 in the limits of funds and borrowing authority available
13 to the Corporation, and in accord with law, and to make
14 such contracts and commitments without regard to fiscal
15 year limitations as provided by section 104 of the Govern-
16 ment Corporation Control Act, as amended, as may be
17 necessary in carrying out the programs set forth in the
18 Corporation's budget for the current fiscal year.

19 OPERATIONS AND MAINTENANCE
20 (HARBOR MAINTENANCE TRUST FUND)

21 For necessary expenses for operation and mainte-
22 nance of those portions of the Saint Lawrence Seaway op-
23 erated and maintained by the Saint Lawrence Seaway De-
24 velopment Corporation, \$10,271,000, to be derived from

1 the Harbor Maintenance Trust Fund, pursuant to Public
2 Law 99-662.

3 RESEARCH AND SPECIAL PROGRAMS

4 ADMINISTRATION

5 RESEARCH AND SPECIAL PROGRAMS

6 For expenses necessary to discharge the functions of
7 the Research and Special Programs Administration,
8 \$26,074,000, of which \$185,000 shall be derived from the
9 Pipeline Safety Fund, and of which \$2,468,000 shall re-
10 main available until September 30, 1997: *Provided*, That
11 up to \$1,000,000 in fees collected under section
12 106(c)(11) of the Hazardous Materials Transportation
13 Act, as amended (49 U.S.C. App. 1805(c)(11)) shall be
14 deposited in the general fund of the Treasury as offsetting
15 receipts: *Provided further*, That notwithstanding any other
16 provision of law, there may be credited to this appropria-
17 tion up to \$1,000,000 in funds received from user fees
18 established to support the electronic tariff filing system:
19 *Provided further*, That there may be credited to this appro-
20 priation funds received from user fees established to de-
21 fray the costs of obtaining, preparing, and publishing in
22 automatic data processing tape format the United States
23 International Air Travel Statistics data base published by
24 the Department.

1 PIPELINE SAFETY

2 (PIPELINE SAFETY FUND)

3 For expenses necessary to conduct the functions of
4 the pipeline safety program, for grants-in-aid to carry out
5 a pipeline safety program, as authorized by section 5 of
6 the Natural Gas Pipeline Safety Act of 1968, as amended,
7 and the Hazardous Liquid Pipeline Safety Act of 1979,
8 as amended, and to discharge the pipeline program re-
9 sponsibilities of the Oil Pollution Act of 1990,
10 \$32,967,000; of which \$2,432,500 shall be derived from
11 the Oil Spill Liability Trust Fund and shall remain avail-
12 able until September 30, 1997; and of which \$30,534,500
13 shall be derived from the Pipeline Safety Fund, of which
14 \$14,323,000 shall remain available until September 30,
15 1997.

16 EMERGENCY PREPAREDNESS GRANTS

17 (EMERGENCY PREPAREDNESS FUND)

18 For necessary expenses to carry out section
19 117A(i)(3)(B) of the Hazardous Materials Transportation
20 Act, as amended, \$400,000 to be derived from the Emer-
21 gency Preparedness Fund, to remain available until Sep-
22 tember 30, 1997: *Provided*, That not more than
23 \$10,550,000 shall be made available for obligation in fis-
24 cal year 1995 from amounts made available by section
25 117A(h)(6)(B) and (i)(1), (2) and (4) of the Hazardous

1 Materials Transportation Act, as amended: *Provided fur-*
2 *ther*, That no such funds shall be made available for obli-
3 gation by individuals other than the Secretary of Trans-
4 portation or his designee.

5 ALASKA PIPELINE TASK FORCE

6 (RESCISSION)

7 (OIL SPILL LIABILITY TRUST FUND)

8 Of the funds made available under this heading in
9 Public Law 102–388, \$544,000 are rescinded.

10 OFFICE OF THE INSPECTOR GENERAL

11 SALARIES AND EXPENSES

12 For necessary expenses of the Office of the Inspector
13 General to carry out the provisions of the Inspector Gen-
14 eral Act of 1978, as amended, \$40,000,000.

15 TITLE II

16 RELATED AGENCIES

17 ARCHITECTURAL AND TRANSPORTATION

18 BARRIERS COMPLIANCE BOARD

19 SALARIES AND EXPENSES

20 For expenses necessary for the Architectural and
21 Transportation Barriers Compliance Board, as authorized
22 by section 502 of the Rehabilitation Act of 1973, as
23 amended, \$3,350,000: *Provided*, That, notwithstanding
24 any other provision of law, there may be credited to this
25 appropriation funds received for publications and training
26 expenses.

1 NATIONAL TRANSPORTATION SAFETY BOARD

2 SALARIES AND EXPENSES

3 For necessary expenses of the National Transpor-
4 tation Safety Board, including hire of passenger motor ve-
5 hicles and aircraft; services as authorized by 5 U.S.C.
6 3109, but at rates for individuals not to exceed the per
7 diem rate equivalent to the rate for a GS-18; uniforms,
8 or allowances therefor, as authorized by law (5 U.S.C.
9 5901-5902), \$37,392,000, of which not to exceed \$1,000
10 may be used for official reception and representation ex-
11 penses.

12 INTERSTATE COMMERCE COMMISSION

13 \$8,300,000 in fees collected in fiscal year 1995 by
14 the Interstate Commerce Commission pursuant to 31
15 U.S.C. 9701 shall be made available to this appropriation
16 in fiscal year 1995.

17 PAYMENTS FOR DIRECTED RAIL SERVICE

18 (LIMITATION ON OBLIGATIONS)

19 None of the funds provided in this Act shall be avail-
20 able for the execution of programs the obligations for
21 which can reasonably be expected to exceed \$475,000 for
22 directed rail service authorized under 49 U.S.C. 11125 or
23 any other Act.

1 PANAMA CANAL COMMISSION

2 PANAMA CANAL REVOLVING FUND

3 For administrative expenses of the Panama Canal
4 Commission, including not to exceed \$11,000 for official
5 reception and representation expenses of the Board; not
6 to exceed \$5,000 for official reception and representation
7 expenses of the Secretary; and not to exceed \$30,000 for
8 official reception and representation expenses of the Ad-
9 ministrator, \$50,030,000, to be derived from the Panama
10 Canal Revolving Fund: *Provided*, That none of these funds
11 may be used for the planning or execution of
12 nonadministrative and capital programs the obligations
13 for which are in excess of \$540,000,000 in fiscal year
14 1994: *Provided further*, That funds available to the Pan-
15 ama Canal Commission shall be available for the purchase
16 of not to exceed forty-three passenger motor vehicles for
17 replacement only (including large heavy-duty vehicles used
18 to transport Commission personnel across the Isthmus of
19 Panama), the purchase price of which shall not exceed
20 \$19,500 per vehicle.

21 DEPARTMENT OF THE TREASURY

22 REBATE OF SAINT LAWRENCE SEAWAY TOLLS

23 (HARBOR MAINTENANCE TRUST FUND)

24 For rebate of the United States portion of tolls paid
25 for use of the Saint Lawrence Seaway, pursuant to Public

1 Law 99–662, \$9,319,000, to remain available until ex-
2 pended and to be derived from the Harbor Maintenance
3 Trust Fund, of which not to exceed \$132,000 shall be
4 available for expenses of administering the rebates.

5 WASHINGTON METROPOLITAN AREA TRANSIT
6 AUTHORITY

7 INTEREST PAYMENTS AND REPAYMENTS OF PRINCIPAL

8 For payment of obligations incurred pursuant to
9 Public Law 96–184 and the Initial Bond Repayment Par-
10 ticipation Agreement, \$664,666,667, to remain available
11 until expended, which shall be used only to repay principal
12 to the Federal Financing Bank for the Washington Metro-
13 rail construction loan; and in addition, such amounts as
14 are necessary for payment to the Federal Financing Bank,
15 of accrued interest and premium, if any, for such loan.

16 TITLE III

17 GENERAL PROVISIONS

18 (INCLUDING TRANSFERS OF FUNDS)

19 SEC. 301. During the current fiscal year applicable
20 appropriations to the Department of Transportation shall
21 be available for maintenance and operation of aircraft;
22 hire of passenger motor vehicles and aircraft; purchase of
23 liability insurance for motor vehicles operating in foreign
24 countries on official department business; and uniforms,

1 or allowances therefor, as authorized by law (5 U.S.C.
2 5901–5902).

3 SEC. 302. Funds for the Panama Canal Commission
4 may be apportioned notwithstanding 31 U.S.C. 1341 to
5 the extent necessary to permit payment of such pay in-
6 creases for officers or employees as may be authorized by
7 administrative action pursuant to law that are not in ex-
8 cess of statutory increases granted for the same period
9 in corresponding rates of compensation for other employ-
10 ees of the government in comparable positions.

11 SEC. 303. Funds appropriated under this Act for ex-
12 penditures by the Federal Aviation Administration shall
13 be available (1) except as otherwise authorized by the Act
14 of September 30, 1950 (20 U.S.C. 236–244), for expenses
15 of primary and secondary schooling for dependents of Fed-
16 eral Aviation Administration personnel stationed outside
17 the continental United States at costs for any given area
18 not in excess of those of the Department of Defense for
19 the same area, when it is determined by the Secretary that
20 the schools, if any, available in the locality are unable to
21 provide adequately for the education of such dependents,
22 and (2) for transportation of said dependents ~~÷~~between
23 schools serving the area that they attend and their places
24 of residence when the Secretary, under such regulations
25 as may be prescribed, determines that such schools are

1 not accessible by public means of transportation on a regu-
2 lar basis.

3 SEC. 304. Appropriations contained in this Act for
4 the Department of Transportation shall be available for
5 services as authorized by 5 U.S.C. 3109, but at rates for
6 individuals not to exceed the per diem rate equivalent to
7 the rate for a Executive Level IV.

8 SEC. 305. None of the funds for the Panama Canal
9 Commission may be expended unless in conformance with
10 the Panama Canal Treaties of 1977 and any law imple-
11 menting those treaties.

12 SEC. 306. None of the funds in this Act shall be used
13 for the planning or execution of any program to pay the
14 expenses of, or otherwise compensate, non-federal parties
15 intervening in regulatory or adjudicatory proceedings
16 funded in this Act.

17 SEC. 307. None of the funds appropriated in this Act
18 shall remain available for obligation beyond the current
19 fiscal year, nor may any be transferred to other appropria-
20 tions, unless expressly so provided herein.

21 SEC. 308. None of the funds in this Act shall be avail-
22 able for the planning or implementation of any change in
23 the current federal status of the Volpe National Transpor-
24 tation Systems Center, and none of the funds in this Act
25 shall be available for the implementation of any change

1 in the current federal status of the Turner-Fairbank
2 Highway Research Center: *Provided*, That the Secretary
3 may plan for further development of the Volpe National
4 Transportation Systems Center and for other compatible
5 uses of the Center's real property: *Provided further*, That
6 any such planning does not alter the federal status of the
7 Center's research and development operation.

8 SEC. 309. The expenditure of any appropriation
9 under this Act for any consulting service through procure-
10 ment contract pursuant to section 3109 of title 5, United
11 States Code, shall be limited to those contracts where such
12 expenditures are a matter of public record and available
13 for public inspection, except where otherwise provided
14 under existing law, or under existing Executive order is-
15 sued pursuant to existing law.

16 SEC. 310. (a) For fiscal year 1995 the Secretary of
17 Transportation shall distribute the obligation limitation
18 for Federal-aid highways by allocation in the ratio which
19 sums authorized to be appropriated for Federal-aid high-
20 ways that are apportioned or allocated to each State for
21 such fiscal year bear to the total of the sums authorized
22 to be appropriated for Federal-aid highways that are ap-
23 portioned or allocated to all the States for such fiscal year.

24 (b) During the period October 1 through December
25 31, 1994, no State shall obligate more than 25 per centum

1 of the amount distributed to such State under subsection
2 (a), and the total of all State obligations during such pe-
3 riod shall not exceed 15 per centum of the total amount
4 distributed to all States under such subsection.

5 (c) Notwithstanding subsections (a) and (b), the Sec-
6 retary shall—

7 (1) provide all States with authority sufficient
8 to prevent lapses of sums authorized to be appro-
9 priated for Federal-aid highways that have been ap-
10 portioned to a State, except in those instances in
11 which a State indicates its intention to lapse sums
12 apportioned under section 104(b)(5)(A) of title 23,
13 United States Code;

14 (2) after August 1, 1995, revise a distribution
15 of the funds made available under subsection (a) if
16 a State will not obligate the amount distributed dur-
17 ing that fiscal year and redistribute sufficient
18 amounts to those States able to obligate amounts in
19 addition to those previously distributed during that
20 fiscal year giving priority to those States having
21 large unobligated balances of funds apportioned
22 under sections 103(e)(4), 104, 144, of title 23,
23 United States Code, and under sections 1013(c) and
24 1015 of Public Law 102-240;

1 (3) not distribute amounts authorized for ad-
2 ministrative expenses and funded from the adminis-
3 trative takedown authorized by section 104(a), Title
4 23 U.S.C., the Federal lands highway program, the
5 intelligent vehicle highway systems program, and
6 amounts made available under sections 1040, 1047,
7 1064, 6001, 6005, 6006, 6023, and 6024, of Public
8 Law 102-240: *Provided*, That amounts made avail-
9 able under section 6005 of Public Law 102-240
10 shall be subject to the obligation limitation for Fed-
11 eral-aid highways and highway safety construction
12 programs under the head "Federal-Aid Highways"
13 in this Act; and

14 (4) notwithstanding subsection (a), the Sec-
15 retary shall withhold from initial distribution the fis-
16 cal year 1995 Federal-aid highways obligation limi-
17 tation set aside for Interstate Construction Discre-
18 tionary projects: *Provided*, That the Secretary shall
19 distribute only after August 1, 1995, such obligation
20 limitation withheld in accordance with this section to
21 those States receiving Interstate Discretionary allo-
22 cations.

23 (d) During the period October 1 through December
24 31, 1994, the aggregate amount of obligations under sec-
25 tion 157 of title 23, United States Code, for projects cov-

1 ered under section 147 of the Surface Transportation As-
2 sistance Act of 1978, section 9 of the Federal-Aid High-
3 way Act of 1981, sections 131(b), 131(j), and 404 of Pub-
4 lic Law 97-424, sections 1061, 1103 through 1108, 4008,
5 and 6023(b)(8) and 6023(b)(10) of Public Law 102-240,
6 and for projects authorized by Public Law 99-500 and
7 Public Law 100-17, shall not exceed \$325,155,150.

8 (e) During the period August 2 through September
9 30, 1995, the aggregate amount which may be obligated
10 by all States pursuant to paragraph (d) shall not exceed
11 2.5 percent of the aggregate amount of funds apportioned
12 or allocated to all States—

13 (1) under sections 104 and 144 of title 23,
14 United States Code, and 1013(c) and 1015 of Public
15 Law 102-240, and

16 (2) for highway assistance projects under sec-
17 tion 103(e)(4) of title 23, United States Code,
18 which would not be obligated in fiscal year 1995 if the
19 total amount of the obligation limitation provided for such
20 fiscal year in this Act were utilized.

21 (f) Paragraph (e) shall not apply to any State which
22 on or after August 1, 1995, has the amount distributed
23 to such State under paragraph (a) for fiscal year 1995
24 reduced under paragraph (c)(2).

1 SEC. 311. None of the funds in this Act shall be avail-
2 able for salaries and expenses of more than one hundred
3 and ten political and Presidential appointees in the De-
4 partment of Transportation: *Provided*, That none of the
5 personnel covered by this provision may be assigned on
6 temporary detail outside the Department of Transpor-
7 tation.

8 SEC. 312. Not to exceed \$850,000 of the funds pro-
9 vided in this Act for the Department of Transportation
10 shall be available for the necessary expenses of advisory
11 committees.

12 SEC. 313. The limitation on obligations for the pro-
13 grams of the Federal Transit Administration shall not
14 apply to any authority under section 21 of the Federal
15 Transit Act, previously made available for obligation, or
16 to any other authority previously made available for obli-
17 gation under the discretionary grants program.

18 SEC. 314. None of the funds in this Act shall be used
19 to implement section 404 of title 23, United States Code.

20 SEC. 315. Such sums as may be necessary for fiscal
21 year 1995 pay raises for programs funded in this Act shall
22 be absorbed within the levels appropriated in this Act.

23 SEC. 316. None of the funds in this Act shall be avail-
24 able to plan, finalize, or implement regulations that would
25 establish a vessel traffic safety fairway less than five miles

1 wide between the Santa Barbara Traffic Separation
2 Scheme and the San Francisco Traffic Separation
3 Scheme.

4 SEC. 317. Notwithstanding any other provision of
5 law, airports may transfer, without consideration, to the
6 Federal Aviation Administration instrument landing sys-
7 tems (along with associated approach lighting equipment
8 and runway visual range equipment) which conform to
9 Federal Aviation Administration design and performance
10 specifications, the purchase of which was assisted by a
11 Federal airport aid program, airport development aid pro-
12 gram or airport improvement program grant. The Federal
13 Aviation Administration shall accept such equipment,
14 which shall thereafter be operated and maintained by the
15 Federal Aviation Administration in accordance with agen-
16 cy criteria.

17 SEC. 318. None of the funds in this Act shall be avail-
18 able to award a multiyear contract for production end
19 items that (1) includes economic order quantity or long
20 lead time material procurement in excess of \$10,000,000
21 in any one year of the contract or (2) includes a cancella-
22 tion charge greater than \$10,000,000 which at the time
23 of obligation has not been appropriated to the limits of
24 the government's liability or (3) includes a requirement
25 that permits performance under the contract during the

1 second and subsequent years of the contract without con-
2 ditioning such performance upon the appropriation of
3 funds: *Provided*, That this limitation does not apply to a
4 contract in which the federal government incurs no finan-
5 cial liability from not buying additional systems, sub-
6 systems, or components beyond the basic contract require-
7 ments.

8 SEC. 319. None of the funds provided in this Act
9 shall be made available for planning and executing a pas-
10 senger manifest program by the Department of Transpor-
11 tation that only applies to United States flag carriers.

12 SEC. 320. None of the funds made available in this
13 Act may be used to implement, administer, or enforce the
14 provisions of section 1038(d) of Public Law 102–240.

15 SEC. 321. Notwithstanding any other provision of
16 law, and except for fixed guideway modernization projects,
17 funds made available by this Act under “Federal Transit
18 Administration, Discretionary grants” for projects speci-
19 fied in this Act or identified in reports accompanying this
20 Act not obligated by September 30, 1997, shall be made
21 available for other projects under section 3 of the Federal
22 Transit Act, as amended.

23 SEC. 322. Notwithstanding any other provision of
24 law, any funds appropriated before October 1, 1993, under
25 any section of the Federal Transit Act, as amended, that

1 remain available for expenditure may be transferred to
2 and administered under the most recent appropriation
3 heading for any such section.

4 SEC. 323. (a) Of the budgetary resources available
5 to the Department of Transportation (excluding the Mari-
6 time Administration) during fiscal year 1995,
7 \$65,120,000 are permanently canceled.

8 (b) The Secretary of Transportation shall allocate the
9 amount of budgetary resources canceled among the De-
10 partment's accounts (excluding the Maritime Administra-
11 tion) available for procurement and procurement-related
12 expenses. Amounts available for procurement and procure-
13 ment-related expenses in each such account shall be re-
14 duced by the amount allocated to such account.

15 (c) For the purposes of this section, the definition
16 of "procurement" includes all stages of the process of ac-
17 quiring property or services, beginning with the process
18 of determining a need for a product or services and ending
19 with contract completion and closeout, as specified in 41
20 U.S.C. 403(2).

21 SEC. 324. Of the funds appropriated in Public Law
22 103-122 for railroad-highway crossings projects,
23 \$20,000,000 shall be available for costs, not to exceed 80
24 percent, of a project to reduce rail-highway conflicts on
25 M-59 near Pontiac, Michigan, and a project on Bristol

1 Road near Flint, Michigan, including \$500,000 which
2 shall be made available to improve and upgrade Maple
3 Road at Bishop Airport, Michigan: *Provided*, That of the
4 funds appropriated in Public Law 94-387 for railroad-
5 highway demonstration projects, \$486,000 in unobligated
6 balances shall be made available for the rail relocation
7 project in Lafayette, Indiana.

8 SEC. 325. None of the funds provided by this Act
9 shall be made available to any State, municipality or sub-
10 division thereof that diverts revenue generated by a public
11 airport in violation of the provisions of the Airport and
12 Airway Improvement Act of 1982, as amended.

13 SEC. 326. None of the funds in this Act shall be avail-
14 able to implement or enforce regulations that would result
15 in the withdrawal of a slot from an air carrier at O'Hare
16 International Airport under section 93.223 of title 14 of
17 the Code of Federal Regulations in excess of the total slots
18 withdrawn from that air carrier as of October 31, 1993
19 if such additional slot is to be allocated to an air carrier
20 or foreign air carrier under section 93.217 of title 14 of
21 the Code of Federal Regulations.

22 SEC. 327. None of the funds made available by this
23 Act may be obligated or expended to design, construct,
24 erect, modify or otherwise place any sign in any State re-
25 lating to any speed limit, distance, or other measurement

1 on any highway if such sign establishes such speed limit,
2 distance, or other measurement using the metric system.

3 SEC. 328. None of the funds provided by this Act
4 shall be made available for any airport development
5 project, or projects, proposed in any grant application sub-
6 mitted in accordance with title V of Public Law 97-248
7 (96 Stat. 671; 49 U.S.C. App. 2201 et seq.) to any public
8 agency, public authority, or public airport that imposes a
9 fee for any passenger enplaning at the airport in any in-
10 stance where the passenger did not pay for the air trans-
11 portation which resulted in such enplanement, including
12 any case in which the passenger obtained the ticket for
13 the air transportation with a frequent flyer award coupon.

14 SEC. 329. None of the funds in this Act may be used
15 to continue the federally-funded research and development
16 center (FFRDC) relationship between the Federal Avia-
17 tion Administration and the Center for Advanced Aviation
18 Systems Development after March 31, 1995: *Provided,*
19 That the Federal Aviation Administration may continue
20 this work after March 31, 1995 only by full and open com-
21 petition among all interested parties, including the Center
22 for Advanced Aviation Systems Development.

23 SEC. 330. Funds provided in this Act for the Depart-
24 ment of Transportation working capital fund (WCF) shall
25 be reduced by \$13,253,000, which limits fiscal year 1995

1 WCF obligational authority for elements of the Depart-
2 ment of Transportation funded in this Act to no more
3 than \$88,750,000: *Provided*, That such reductions from
4 the budget request shall be allocated by the Department
5 of Transportation to each appropriations account in pro-
6 portion to the amount included from each account for the
7 working capital fund.

8 SEC. 331. Funds provided in this Act for bonuses and
9 cash awards for employees of the Department of Trans-
10 portation shall be reduced by \$6,012,680, which limits fis-
11 cal year 1995 obligational authority to no more than
12 \$25,500,000: *Provided*, That this provision shall be ap-
13 plied to funds for Senior Executive Service bonuses, merit
14 pay, and other bonuses and cash awards.

15 SEC. 332. Section 127(a) of title 23, United States
16 Code, is amended by adding at the end the following:
17 “With respect to the State of Maryland, laws and regula-
18 tions in effect on June 1, 1993, shall be applicable for
19 the purposes of this subsection.”.

20 SEC. 333. Funds received from States, counties, mu-
21 nicipalities, other public authorities, and private sources
22 for expenses incurred for training and for reports’ publica-
23 tion and dissemination may be credited to the Research
24 and Special Programs account.

1 SEC. 334. Funds received from States, counties, mu-
2 nicipalities, other public authorities, and private sources
3 for expenses incurred for training may be credited to the
4 Federal Highway Administration's "Limitation on Gen-
5 eral Operating Expenses" account, the Federal Transit
6 Administration's "Transit Planning and Research" ac-
7 count, and to the Federal Railroad Administration's
8 "Railroad Safety" account, except for State rail safety in-
9 spectors participating in training pursuant to section 206
10 of the Federal Railroad Safety Act of 1970.

11 SEC. 335. (a) Subsection (b) of section 1045 of the
12 Intermodal Surface Transportation Efficiency Act of 1991
13 (105 Stat. 1994) is amended to read as follows:

14 “(b) ELIGIBILITY FOR FEDERAL ASSISTANCE.—

15 “(1) GENERAL RULE.—Upon approval of any
16 substitute project or projects under subsection (a)—

17 “(A) the costs of construction of the eligi-
18 ble transitway project for which such project or
19 projects are substituted shall not be eligible for
20 funds authorized under section 108(b) of the
21 Federal-Aid Highway Act of 1956; and

22 “(B) a sum equal to the amount that
23 would have been apportioned to the State of
24 Wisconsin on October 1, 1994, under section
25 104(b)(5)(A) of title 23, United States Code, if

1 the Secretary had not approved such project or
2 projects shall be available to the Secretary from
3 the Highway Trust Fund to incur obligations
4 for the Federal share of the costs of such sub-
5 stitute project or projects.

6 “(2) AVAILABILITY.—Amounts made available
7 under paragraph (1)(B) shall be available for obliga-
8 tion on and after October 1, 1994. Amounts made
9 available under paragraph (1)(B) shall remain avail-
10 able until expended and shall be subject to any limi-
11 tation on obligations for Federal-aid highways estab-
12 lished by law.

13 “(3) APPLICABILITY OF TITLE 23 U.S.C.—
14 Amounts made available under paragraph (1)(B)
15 shall be available for obligation in the same manner
16 as if such funds were apportioned under chapter 1
17 of title 23, United States Code; except that the Fed-
18 eral share of the cost of any project carried out with
19 such funds shall be determined in accordance with
20 section 103(e)(4)(D) of such title.”.

21 (b) CONFORMING AMENDMENTS.—

22 (1) SUBSECTION (c).—The second sentence of
23 subsection (c) of section 1045 of such Act is amend-
24 ed by striking “the authority of section 103(e)(4) of

1 title 23, United States Code,” and inserting “section
2 21(a)(2) of the Federal Transit Act”.

3 (2) SUBSECTION (d)(1).—Subsection (d)(1) of
4 section 1045 of such Act is amended by striking
5 “project for” and all that follows through the period
6 at the end thereof and inserting “transit project.”.

7 (3) SUBSECTION (d).—Subsection (d) of section
8 1045 of such Act is amended by striking paragraph
9 (3) and by redesignating paragraph (4) as para-
10 graph (3).

11 (c) REDUCTION OF INTERSTATE CONSTRUCTION AU-
12 THORIZATION.—Section 108(b) of the Federal-Aid High-
13 way Act of 1956 is amended by striking “\$1,800,000,000
14 for the fiscal year ending September 30, 1996” and insert-
15 ing “\$1,800,000,000, reduced by the amount made avail-
16 able under section 1045(b)(1)(B) of the Intermodal Sur-
17 face Transportation Efficiency Act of 1991, for the fiscal
18 year ending September 30, 1996”.

19 SEC. 336. (a) FEDERAL LINE OF CREDIT.—For the
20 purpose of carrying out a demonstration of the construc-
21 tion of public toll roads in Orange County, California, au-
22 thorized by section 129(d) of title 23, United States Code,
23 there is hereby appropriated \$8,000,000 for the Secretary
24 to enter into an agreement to make a line of credit avail-
25 able, with a principal amount not to exceed \$120,000,000

1 to the public entity or entities with the statutory authority
2 to construct such facilities.

3 (b) EFFECTIVE PERIOD.—The line of credit under
4 this section shall be available for draws during the period
5 beginning on the date of completion of construction and
6 ending on the last day of the tenth calendar year following
7 the date construction of the facilities is completed.

8 (c) PURPOSES.—The line of credit under this section
9 shall be available to pay the costs of extraordinary repair
10 and replacement of the facilities, unexpected Federal or
11 State environmental restrictions, operation and maintenance
12 expenses of the facilities, and debt service on tax-
13 exempt or taxable obligations financing the facilities.

14 (d) LIMITATIONS.—

15 (1) CAPITAL EXPENDITURES.—With respect to
16 capital expenditures, draws on the line of credit
17 under this section shall only be made if and to the
18 extent proceeds from the sale of the obligations issued
19 by the public entity or entities which otherwise
20 would be available for such purposes are exhausted,
21 or are otherwise unavailable for the payment of such
22 capital expenditures.

23 (2) EXPENSES.—With respect to expenses, including
24 operation and maintenance expenses and
25 debt service, a draw on the line of credit under this

1 section shall only be made if revenues from toll oper-
2 ations and capitalized interest are insufficient (or
3 are otherwise unavailable) for such purposes.

4 (3) PER YEAR.—No more than 10 percent of
5 the total principal amount of the line of credit under
6 this section shall be available for draws in any one
7 year.

8 (4) THIRD PARTY CREDITOR RIGHTS.—No third
9 party creditor of the public entity or entities shall
10 have any right against the Federal Government with
11 respect to draws on the line of credit under this sec-
12 tion.

13 (5) AVAILABILITY FOR PARTICULAR COSTS.—
14 There is no guaranteed availability of proceeds of
15 the line of credit under this section for the payment
16 of any particular cost of the public entity or entities
17 which might be financed under this section.

18 (e) INTEREST RATE AND REPAYMENT PERIOD.—Any
19 draws (except for operation and maintenance expenses) on
20 the line of credit under this section shall accrue interest
21 at the 30-year United States Treasury bond rate begin-
22 ning on the date such draws are made and shall be repaid
23 in not more than 30 years; except that any draws under
24 the line of credit for operation and maintenance expenses
25 shall accrue interest at the 3-year United States Treasury

1 note rate beginning on the date such draws are made and
2 shall be repaid in not more than 3 years.

3 SEC. 337. The amount otherwise provided by this Act
4 for “DEPARTMENT OF TRANSPORTATION—OF-
5 FICE OF THE SECRETARY—Salaries and Expenses”
6 is hereby increased by \$26,300,000, of which amount
7 \$8,300,000 shall be derived from amounts provided for in
8 this Act under the heading “INTERSTATE COM-
9 MERCE COMMISSION—Salaries and Expenses”.

10 SEC. 338. (a) PURCHASE OF AMERICAN-MADE
11 EQUIPMENT AND PRODUCTS.—It is the sense of the Con-
12 gress that, to the greatest extent practicable, all equip-
13 ment and products purchased with funds made available
14 in this Act should be American-made.

15 (b) NOTICE REQUIREMENT.—In providing financial
16 assistance to, or entering into any contract with, any en-
17 tity using funds made available in this Act, the head of
18 each Federal agency, to the greatest extent practicable,
19 shall provide to such entity a notice describing the state-
20 ment made in subsection (a) by the Congress.

1 This Act may be cited as the “Department of Trans-
2 portation and Related Agencies Appropriations Act,
3 1995”.

Passed the House of Representatives June 16, 1994.

Attest:

Clerk.

103D CONGRESS
2D SESSION

H. R. 4556

AN ACT

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1995, and for other purposes.